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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,137	01/18/2001	Lloyd Adams	P/2167-260	7821
21967	7590	11/29/2006	EXAMINER	
HUNTON & WILLIAMS LLP INTELLECTUAL PROPERTY DEPARTMENT 1900 K STREET, N.W. SUITE 1200 WASHINGTON, DC 20006-1109			KAZIMI, HANI M	
			ART UNIT	PAPER NUMBER
			3691	

DATE MAILED: 11/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/765,137

Applicant(s)

ADAMS ET AL.

Examiner

Hani Kazimi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to the amendment filed on September 5, 2006, claims 1-20 are pending. The rejections cited are as stated below:

Response to Applicant's amendment

2. Applicants' amendment filed on September 5, 2006 have been fully considered, and discussed in the next section below or within the following rejections are not deemed to be persuasive. Applicants' request for allowance is respectfully denied. Page 2 of the claims, Applicant requests to add claims 14-16, however, claims 14-16 are previously presented. Claims 17-20 are the newly added claims. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have

the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 6, 14, 15 and 17-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Lent et al US Patent No. 6324524, "Method and apparatus for real time on line credit approval".

Claims 1-3, 6, 14, 15 and 17-20, Lent teaches a system and a corresponding method for producing and sending a loan document to a customer, comprising, a web-enabled customer interface which receives loan information from the customer, a network coupled to the customer interface, the network receives the loan information from the customer interface, a web site coupled to the network, the web site receives the loan information and merges the loan information with a loan application form to produce a loan application, a loan processor, coupled to the web site, the loan application information is received and produced by the loan processor before the loan document is generated, the loan processor receives the loan application, performs a credit check on the customer based on the loan application, and determines whether the customer should receive a loan based on the credit check, and a document server coupled to the loan processor, the document server generates and sends the loan document to the customer, based on the loan application, when the loan processor determines that the customer should receive the loan, the loan processor sends the loan document to the

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customer through one of e-mail, facsimile, the network, a first printer coupled to the network, and a second printer coupled to another network (abstract, figs. 1-5 and 12-14, and related text in the detailed description section), and the step of verifying a customer account by sending a test transaction; and sending funds to a customer account after the customer account is verified (Para 20-27 and 63).

Lent teaches the use of a credit approval agency that is coupled to the loan processor, wherein the loan processor performs the credit check by sending the loan application to the credit approval agency (detailed description section, Para 22-28). Lent teaches that the network is the Internet, and the customer interface is one of a computer, a personal digital assistant, and a loan application kiosk (fig. 14, detailed description section, Para 68), and that the loan document includes a loan contract, loan approval letter, loan promissory note (detailed description Para 6, 23-55).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

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1. Determining the scope and contents of the prior art.
 2. Ascertaining the differences between the prior art and the claims at issue.
 3. Resolving the level of ordinary skill in the pertinent art.
 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
4. Claims 4, 5, 7-13 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lent et al US Patent No. 6324524.

Claims 4, 5, 7-13 and 16, Lent teaches all the claimed limitation as discussed above with respect to the rejections of claims 1-3, 6, 14, 15 and 17-20.

However, Lent fails to teach that cashing a check indicates acceptance by the customer of the terms listed in the loan document, checking the validity of the check, and the loan document includes insurance information relating to the loan.

Official Notice is taken that cashing a check as an indication of accepting a contract, checking the validity of a check, and having insurance information relating to a loan in a loan document is old and well known in the art.

It would be obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Lent to include that cashing a check indicates acceptance by the customer of the terms listed in the loan document, checking the validity of the check, and the loan document includes insurance information relating to the loan because, it greatly improves the efficiency of the system by providing an easier and faster way of processing loan contracts, and a system that is user

friendly.

Claims 8-12 and 16 Lent teaches all the claimed limitations as discussed above with respect to claims 1-3, 6, 14, 15 and 17-20:

Response to Arguments

5. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hani Kazimi whose telephone number is (571) 272-6745. The examiner can normally be reached Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR

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only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-2 17-9197 (toll-free).



HANI M. KAZIMI
PRIMARY EXAMINER
Art Unit 3691

November 22, 2006